

Apparent Conflict Is Seen in Admiral's Testimony

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Adm. Thomas H. Moorer, chairman of the joint chiefs of staff, testified before the Senate Armed Services Committee 18 months ago that he had been unaware of the significance of the secret White House negotiations with the North Vietnamese in Paris in late 1971.

The admiral's testimony appears to contradict the thrust of his recent statements — made after published reports of military snooping in the White House — about the closeness of his relations with the National Security Council, headed by Henry A. Kissinger, now Secretary of State.

For example, the admiral said in a statement issued yesterday, "There is and always has been a free and complete flow of information between Dr. Kissinger and me as required by Presidential directives. I have always been privy to full information on all subjects with military implications."

Yet, in his Senate testimony about the unauthorized bombing of North Vietnamese airfields on Nov. 7 and 8, 1971 — less than two weeks before a scheduled secret meeting between Mr. Kissinger and the North Vietnamese representative, Le Duc Tho, in Paris — Admiral Moorer acknowledged that "I wasn't aware of the degree of activity in negotiations at the time."

The admiral added that he knew that such talks were being conducted in Paris, but he said he "was not aware of the

fact that there was some key high point in the negotiations." A moment later, in response to further questions from Senator Harold E. Hughes, Democrat of Iowa, Admiral Moorer further acknowledged that he had not been aware that Mr. Kissinger and Mr. Tho planned to meet on Nov. 20, 1971.

That session, which would have been the 13th secret meeting between the two since 1969, did not take place. The North Vietnamese announced on Nov. 17, 1971, that Mr. Tho was ill. President Nixon made the history of the secret negotiations public the following January.

The questions about secret negotiations were raised because of Senator Hughes's stated concern that the Nov. 7 and 8 raids — the first of more than 20 such unauthorized missions ordered by Gen. John D. Lavelle of the Air Force — may have been a factor in Mr. Tho's decision to break off the secret meeting.

Met With Lavelle

Admiral Moorer acknowledged during the hearings that he met with the general in Saigon after the November raids and viewed reconnaissance photographs of the air strikes. The admiral denied an assertion by General Lavelle that he had in some way authorized the raids, which were described as "protective reaction" — that is, in response to enemy fire.

Two other key military leaders at the time — Gen. John D. Ryan, chief of staff of the Air Force and a member of the Joint Chiefs of Staff, and Gen. Creighton W. Abrams, then

head of American forces in Vietnam — both testified during the Lavelle hearings that they had no knowledge of the secret Paris peace talks. Their testimony, taken in secret, was later released by the Senate committee.

Asked about the secret talks, General Abrams said: "I know it when it was, you know, announced [by President Nixon]. I guess it was in a Presidential speech. It was the same time everybody else knew it." General Ryan, who has since retired, said he learned of the peace talks through newspaper reports.

White House Inquiry

Secret White House investigation of the military spying allegations concluded in early 1972 that Admiral Moorer was involved in the funneling of sensitive "eyes only" documents from Mr. Kissinger's office to the Pentagon, sources said. The report, by David R. Young Jr. of the White House "plumbers" team, has not been made public.

Since the first newspaper accounts of the military spying, Admiral Moorer has tried to minimize its significance by staging that the documents provided him were papers on subjects "with which I was already familiar."

The admiral had initially denied any knowledge of the unauthorized passing of documents, but later conceded that he had received two packets of material.

Sources have said that the spying began in the fall of 1970, shortly after Admiral Moorer became chairman of the Joint Chiefs of Staff, and continued until it was uncovered in December, 1971, by Mr. Young, who was then conducting an inquiry into the leaking of White House papers to Jack Anderson, the columnist.

Both Admiral Moorer and Secretary Kissinger testified before the Senate Armed Services Committee yesterday on the spying allegations. Mr. Kissinger released a statement before doing so in which he also cited the "full flow of information" between his office and Admiral Moorer's.